

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1899

COUNCIL SPONSOR: MR. BAGERT PROVIDED BY: COUNCIL OFFICE

Resolution amending Resolution C-1678, adopted April 06, 2006, not concurring with a Town of Pearl River annexation, to concur with the annexation and rezoning of 2.5 acres of land more or less from Parish R-Rural to Town of Pearl River B-2 Highway Commercial District, which property is located at the Southeast corner of La. Hwy. 1090, Military Road, and the Southern Railway ROW East of Hwy. 11, Ward 8, District 9.

WHEREAS, the Town of Pearl River is contemplating annexation of 2.5 acres of land more or less, owned by SKF Properties, LLC, and located at the Southeast corner of La. Hwy. 1090, Military Road, and the Southern Railway ROW East of Hwy. 11, in Ward 8, District 9 (see attachments for complete description); and

WHEREAS, the property requires rezoning from Parish R-Rural District to Town of Pearl River B-2 Highway Commercial District, which is an intensification of zoning; and

WHEREAS, the annexation is not consistent with the Growth Management Agreement entered into between the Parish of St. Tammany and the Town of Pearl River effective April 01, 2003; and

WHEREAS, the property is not developed and concurrence with the proposed annexation would result in a split of the sales tax revenues as per the 1993 Sales Tax Enhancement Plan entered into between the Town of Pearl River and the Parish of St. Tammany, providing for the annexation of property in Sales Tax District # 3; and

WHEREAS, the Parish Council adopted a resolution not concurring with the annexation at its April 06, 2006 regular meeting and now desires to amend that resolution in order to concur with the annexation.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that it amends Resolution C-1678, adopted April 06, 2006, and concurs with the Town of Pearl River annexation and rezoning of 2.5 acres of land more or less, located in District 9, from Parish R-Rural District to Town of Pearl River B-2 Highway Commercial District, in accordance with the applicable 1993 Sales Tax Enhancement Plan.

BE IT FURTHER RESOLVED that should this property be annexed, the St. Tammany Parish Council requires as a condition of concurrence that the Town of Pearl River require review of development proposals utilizing the applicable Parish Drainage Model and compliance with Parish Drainage Regulations.

BE IT FURTHER RESOLVED that the Parish Council further requires as a condition of concurrence that the Town of Pearl River require a Traffic Impact Analysis be performed and that the Parish Department of Engineering be consulted on the traffic and access impacts of any proposed development.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE _____ DAY OF _____ 2006
AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING
PRESENT AND VOTING.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK
(Ref. no. PR2006-01)

RESOLUTION COUNCIL SERIES NO. C-1678COUNCIL SPONSOR STEFANCIK/DAVISPROVIDED BY: CAO

RESOLUTION TO NOT CONCUR WITH THE TOWN OF PEARL RIVER ANNEXATION AND REZONING OF 2.5 ACRES OF LAND MORE OR LESS FROM PARISH RURAL DISTRICT TO TOWN OF PEARL RIVER B-2 HIGHWAY COMMERCIAL DISTRICT WHICH PROPERTY IS LOCATED at SE corner of LA Hwy. 1090 Military Road and the Southern Railway ROW East of Hwy 11 Ward 8, District 9.

WHEREAS, the TOWN OF PEARL RIVER is contemplating annexation of 2.5 acres of land more or less owned by SKF Properties, LLC, and located at SE corner of LA Hwy. 1090 Military Road and the Southern Railway ROW East of Hwy 11, S12, T8S, R14E Ward 8, District 9 (see attachments for complete description); and

WHEREAS, the proposed annexation is not consistent with the Annexation Agreement entered into by the TOWN OF PEARL RIVER and St. Tammany Parish effective April 1, 2003; and

WHEREAS, the property requires rezoning from Parish Rural District to TOWN OF PEARL RIVER B-2 Highway Commercial District which is an intensification of zoning; and

WHEREAS, the property is not developed; and

WHEREAS, concurrence with the proposed annexation would result in a split of the sales tax revenues pursuant to the 1993 Sales Tax Enhancement Plan entered into between the Town of Pearl River and the Parish of St. Tammany, and non-concurrence with the proposed annexation would result in no split of the sales tax revenue, all revenue shall accrue to the Parish of St. Tammany.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to Not Concur with the TOWN OF PEARL RIVER annexation and rezoning of 2.5 acres of land more or less, at SE corner of LA Hwy. 1090 Military Road and the Southern Railway ROW East of Hwy 11 S12, T8S, R14E from Parish Rural District to TOWN OF PEARL RIVER B-2 Highway Commercial District in consideration of the April 1, 2003 Annexation Agreement between the Parish and the TOWN OF PEARL RIVER.

BE IT FURTHER RESOLVED that should this property be annexed, the St. Tammany Parish Council requires that the TOWN OF PEARL RIVER review development proposals utilizing the applicable Parish Drainage Model and compliance with Parish Drainage Regulations.

BE IT FURTHER RESOLVED that the St. Tammany Parish Council requires that the TOWN OF PEARL RIVER require a Traffic Impact Analysis be performed and that the Parish Department of Engineering be consulted on the traffic and access impacts of any proposed development.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY MR. GOULD, SECONDED BY MR. BINDER

YEAS: FITZMORRIS, THOMPSON, BRISTER, GOULD, SINGLETARY, CANULETTE, BILLIOT, STEFANCIK, BINDER, BURKHALTER (10)

NAYS: (0)

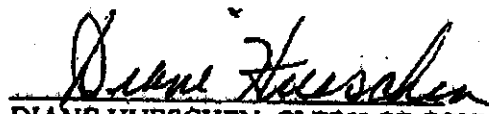
ABSTAIN: (0)

ABSENT: DEAN, IMPASTATO, BAGERT, THOMAS (4)

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 6TH DAY OF APRIL, 2006, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.


STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:


DIANE HUESCHEN, CLERK OF COUNCIL (PR2006-01)



JAMES LAVIGNE
Mayor

TOWN OF PEARL RIVER

P.O. Box 1270
Pearl River, Louisiana 70452
Telephone (985) 883-5000
FAX (985) 883-2685

PR2006-01

RUBY GAULEY
Mayor Pro Tempore

VIRGIL PHILLIPS
DAVID McQUEEN
THERESA ZACHENBLAY
MARIE CROWE
Aldermen

BENNIE RAYMOND
Chief of Police

ELIZABETH ALLEN
Town Clerk

RONALD W. "RON" GUTH
Town Attorney

LISA POLK
Deputy Clerk

C1078

January 5, 2006

Mr. Gary Singletary
% St. Tammany Parish
P.O. Box 628
Covington, LA 70435

MAR 07 2006

Re: Annexation

Dear Mr. Singletary,

The Town was petitioned by SKF Properties, LLC to annex 2.5 acres that is contiguous to the cooperate limits of the Town of Pearl River, LA . This property adjoins the 7.8 acres that was annexed last year by Military Road Properties with the Parish's approval by resolution No. C-1355. The 2.5 acres will be zone B-2 Highway Commercial.

As agreed with the Parish Sales Tax Split Agreement the Town is asking the Parish's consent to annex this property.

Sincerely,

Elizabeth Allen

U.S. Postal Service
CERTIFIED MAIL RECEIPT

(Domestic Mail Only: No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

COVINGTON, LA 70435

Postage	\$ 0.40	UNIT ID# 0480
Certified Fee	2.30	Postmark
Return Receipt Fee (Insurance Required)	1.75	Date
Registered Delivery Fee (Insurance Required)		Clerk: ENTJSD
Total Postage & Fees	\$ 4.45	01/05/06

36779
P.O. Box 628
Covington, LA 70435

OPPORTUNITY EMPLOYER



JAMES LAVIGNE
Mayor

TOWN OF PEARL RIVER

P.O. Box 1270
Pearl River, Louisiana 70462
Telephone (985) 843-5808
FAX (985) 843-8586

PR 2006-01

RUBY GAULEY
Mayor Pro Tempore

VIRGIL PHILLIPS
DAVID McQUEEN
THERESA ZECHEMELLY
MARIE CROWE
Aldermen

BENNIE RAYNOR
Chief of Police

ELIZABETH ALLEN
Town Clerk

RONALD W. "RON" GUTH
Town Attorney

LISA POLE
Deputy Clerk

C-1678

January 5, 2006

Mr. Sidney Fontenot
% St. Tammany Parish
Planning & Zoning
P.O. Box 628
Covington, LA 70435

MAR 8 7 2006
DJK

Re: Annexation

Dear Mr. Fontenot,

The Town was petitioned by SKF Properties, LLC to annex 2.5 acres that is contiguous to the cooperats limits of the Town of Pearl River, LA . This property adjoarns the 7.8 acres that was annexed last year by Military Road Properties with the Parish's approval by resolution No. C-1355. The 2.5 acres will be zone B-2 Highway Commercial.

As agreed with the Parish Sales Tax Split Agreement the Town is asking the Parish's consent to annex this property.

Sincerely,

[Handwritten signature]

U.S. Postal Service
CERTIFIED MAIL - RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.40	UNIT ID: 0480
Certified Fee	2.30	Postmark Date
Return Receipt Fee (Endorsement Required)	1.75	Clerk: BHT380
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.45	01/05/06

Signature: *[Handwritten Signature]*
City, State ZIP: *[Handwritten]*

OPPORTUNITY EMPLOYER

2005 1 790 0004 3633 1 197

PG3006-01

C-1678

Town of Pearl River
Annexation Request

Planning Commission Meets First and Third Tuesdays at 7:00 P.M.

Please include:

1. Map SURVEY
2. Description LOCAL

A Fee of \$25.00 per Acre

Date of Request 12/27/05

Petition is hereby made to the planning commission and the TOWN OF PEARL RIVER for annexation into the TOWN OF PEARL RIVER, by:

Name: SKE PROPERTIES, L.L.C. STEPHEN FELKE, MGR.

Street Address: 4441 BURMAN RD UNIT 113 BAYOU LA PRAIRIE LA 70825

Telephone Number: 225-761-8164 CALL 504-453-7110

Zoning of Property to be Annexed: RURAL IN PARISH / S-2 IN TOWN

Reason of Annexation: AGENCY OF CITY UTILITIES AND REVENUE

Description of Property: SEE ATTACHED SURVEY AND MAP
2.5 ACRES

(or attach copy of Deed & Map)

IF A PUBLIC HEARING MUST BE HELD, THE PERSON REQUESTING ANNEXATION MUST BE PRESENT.

For Office Use Only

Date Presented to Commission: _____

Date of Public Hearing: _____

Result of Public Hearing: _____

Zoning After Annexation: _____

PL2006-01

C-1678

Scalfano
ENGINEERING, INC.
 Professional Engineering
 E-Mail: scalfano@scalfano-engineering.com

Legal Description for a 2.50 acre parcel of land situated in Sections 12, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana and being more fully described as follows:

From the Section Corner common to Sections 11, 12, 13 and 14, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana, go South 01°00'00" East a distance of 1333.6 feet; thence East a distance of 661.2 feet; thence North 18°40'00" East a distance of 1635.89 feet to a point located on the easterly right of way line of the Southern Railroad, now or formerly and the point of beginning. From the point of beginning, go along said right of way line, North 18°40'00" East a distance of 316.53 feet to a point located on the southerly right of way line of La. Hwy. 1090 (Military Road); thence go along said right of way line, North 58°00'17" East a distance of 163.33 feet; thence South 76°18'05" East (Title-South 76°16'55" East) a distance of 153.61 feet; thence leaving said right of way line, go South 18°40'00" West a distance of 457.70 feet; thence go North 71°20'00" West a distance of 257.84 feet to a point located on the easterly right of way line of the Southern Railroad, now or formerly back to the point of beginning.

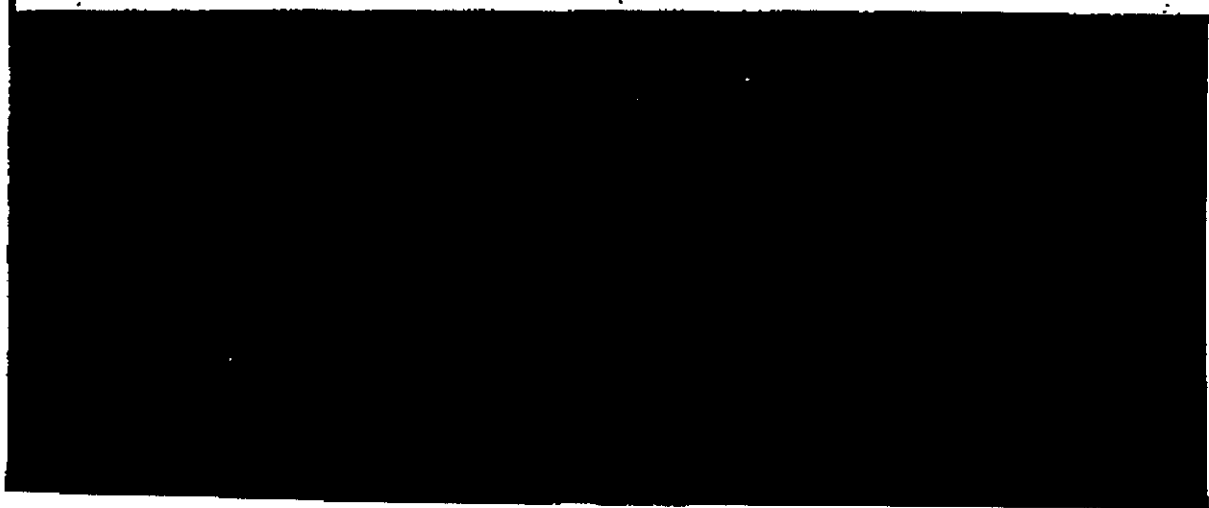
Said parcel of land contains 2.50 acres.

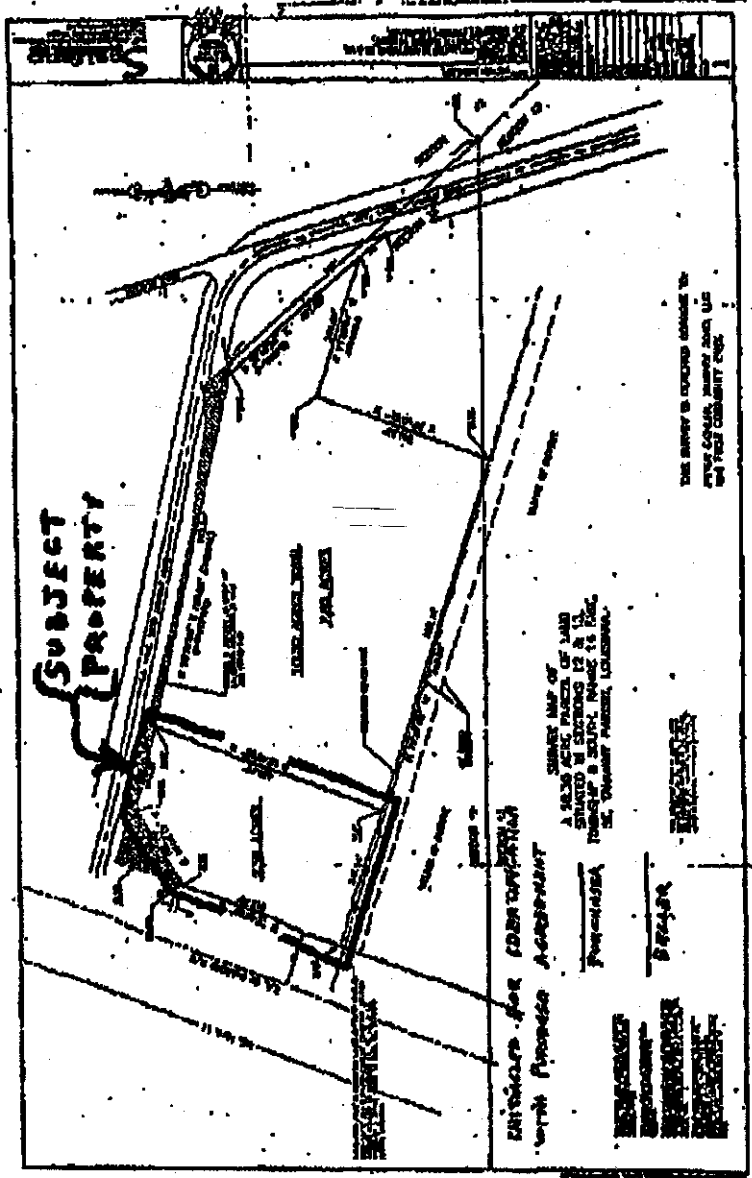


Dave R. Scalfano

28661 KRENTEL ROAD, LACOMBE, LA. 70445
 PH: (985) 882-6363 - FAX: (985) 882-6322

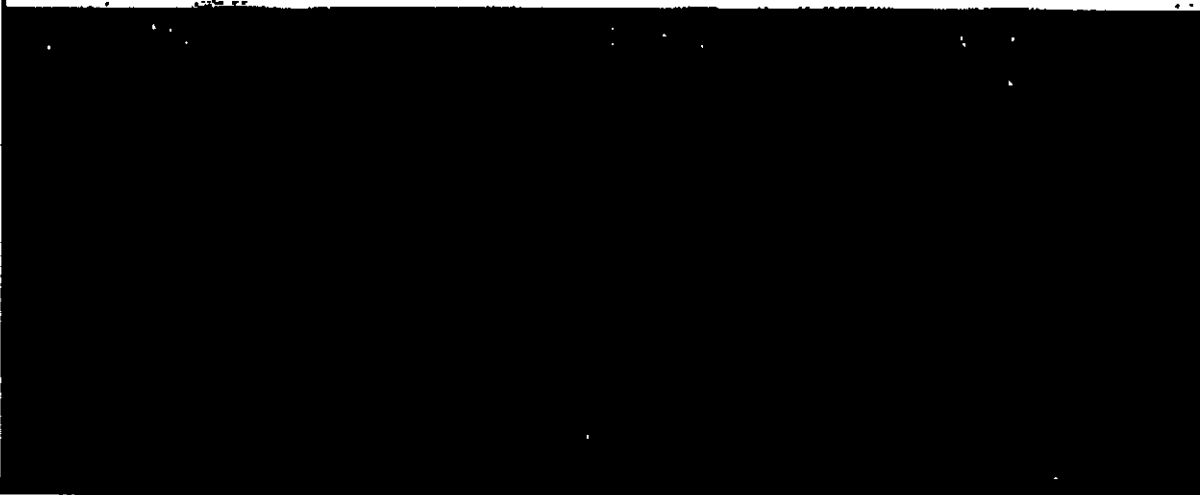
7/11/06





PR2006-01

C-1678



PK-006-01

FOR SALE

UNIQUE COMMERCIAL TRACT Slidell/Pearl River, Louisiana

FIG. MAP ONLY

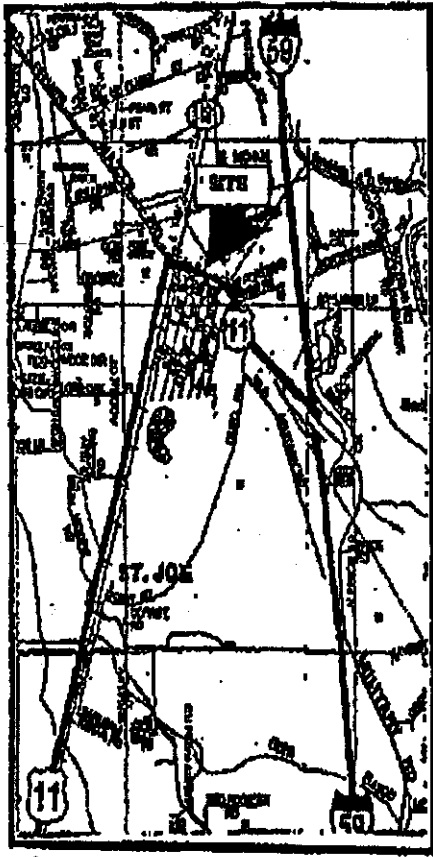
C-1678

This is the only viable, commercially viable parcel on busy U.S. Hwy 11 (Military Road) near Exit #3 on I-59.

Military Road and Highway 11 in this area bring together growing neighborhoods of middle and upper middle income families. This site appears to be a 'Natural' for a Super Market or Neighborhood Shopping Center. Located between a railroad crossing and an oblique turn in the highway, with 643 feet of road frontage, this 7.8 acre parcel commands the attention of travelers, commuters, business people, shoppers and car-poolers taking children to and from school and after school activities.

Utilities are provided by the Town of Pearl River, which will welcome commercial or retail development.

Site details are available at MSA #579872 or LACDB #233919



Call Mickey Evans, 504.621.7746 for more information, or for a personal tour of this site.



June 15, 2005

LATTER & BLUM REALTORS

DATE: _____
The information presented here is, with certain exceptions, based on public records and is not to be construed as a warranty of any kind.

TOWN OF PEARL RIVER
DISTRICT ZONING REGULATIONS
D-2 HIGHWAY BUSINESS

PR 2006-01

C-1678

PERMITTED USE OF LAND & STRUCTURES:

PERMITTED PRINCIPAL USE PERMIT:

- | | |
|-----------------------------------|--|
| A.) Churches | E.) Hospitals & Charitable Institutions |
| B.) Public schools | F.) Banks, Offices, Theaters |
| C.) Parks & Playgrounds | G.) Stores, Restaurants, Bakeries, Laundries |
| D.) Motels/Hotels, Clubs & Lodges | |
- H.) No dwelling units allowed unless said dwellings are occupied by the custodial owner or manager of the business established in which the dwelling is located.

- I.) Studio, Stores, Warehouses, Car Lots

PERMITTED ACCESSORY USE:

- A.) Accessory buildings, signs, and other uses pertinent to principal use.

NO PERMANENT HAND MADE SIGNS - MAXIMUM OF 2 SIGNS PER BUSINESS

USES PERMITTED BY SPECIAL PERMIT:

- | | | |
|------------|-----------------|---------------------------------------|
| Bus Depots | Cemeteries | Trailer Parks (minimum of five acres) |
| Garages | Food Processing | |

MINIMUM YARD DIMENSIONS IN FEET:

Front Depth:	35'	Side Yard #1:	10'
Rear Depth:	20'	Side Yard #2:	Equal to height of building

MINIMUM LOT SIZE: 11,700 Square feet

MAXIMUM HEIGHT OF BUILDINGS: Not to exceed 40% of the lot

In Stories: 3 In Feet: not 50'

OFF STREET PARKING & LOADING:

Handicap parking to be provided and meet all state requirements for the number of parking spaces available to the public & handicapped.

PARKING AREA MUST BE PAVED OR ASPHALTED.

Any lighting on commercial property should not obstruct traffic.

PENALTIES

A COMPLETE SET OF ENGINEER DRAWINGS MUST BE GAVE TO THE TOWN HALL BEFORE ANY CONSTRUCTION CAN BE STARTED.

IF YOU BUILD UP YOUR PROPERTY CAUSING FLOODING TO ADJOINING PROPERTY, YOU MUST DIG A SWALE/DITCH & MAINTAIN IT ON YOUR PROPERTY.

A MINIMUM 6" TEMPORARY CONSTRUCTION CULVERT MUST BE USED IN ALL DRAINAGE DITCHES DURING CONSTRUCTION.

THE FRONT OF ALL METAL BUILDINGS MUST BE DRESSED UP WITH BRICK, VINYL, STUCCO, ETC.; IF IT IS A CORNER LOT THE FRONT AND SIDE MUST BE DRESSED UP WITH BRICK, VINYL, STUCCO, ETC. AND ALL APPEARANCES MUST BE APPROVED.

MUST COMPLY WITH LANDSCAPE AND FENCE ORDINANCES.

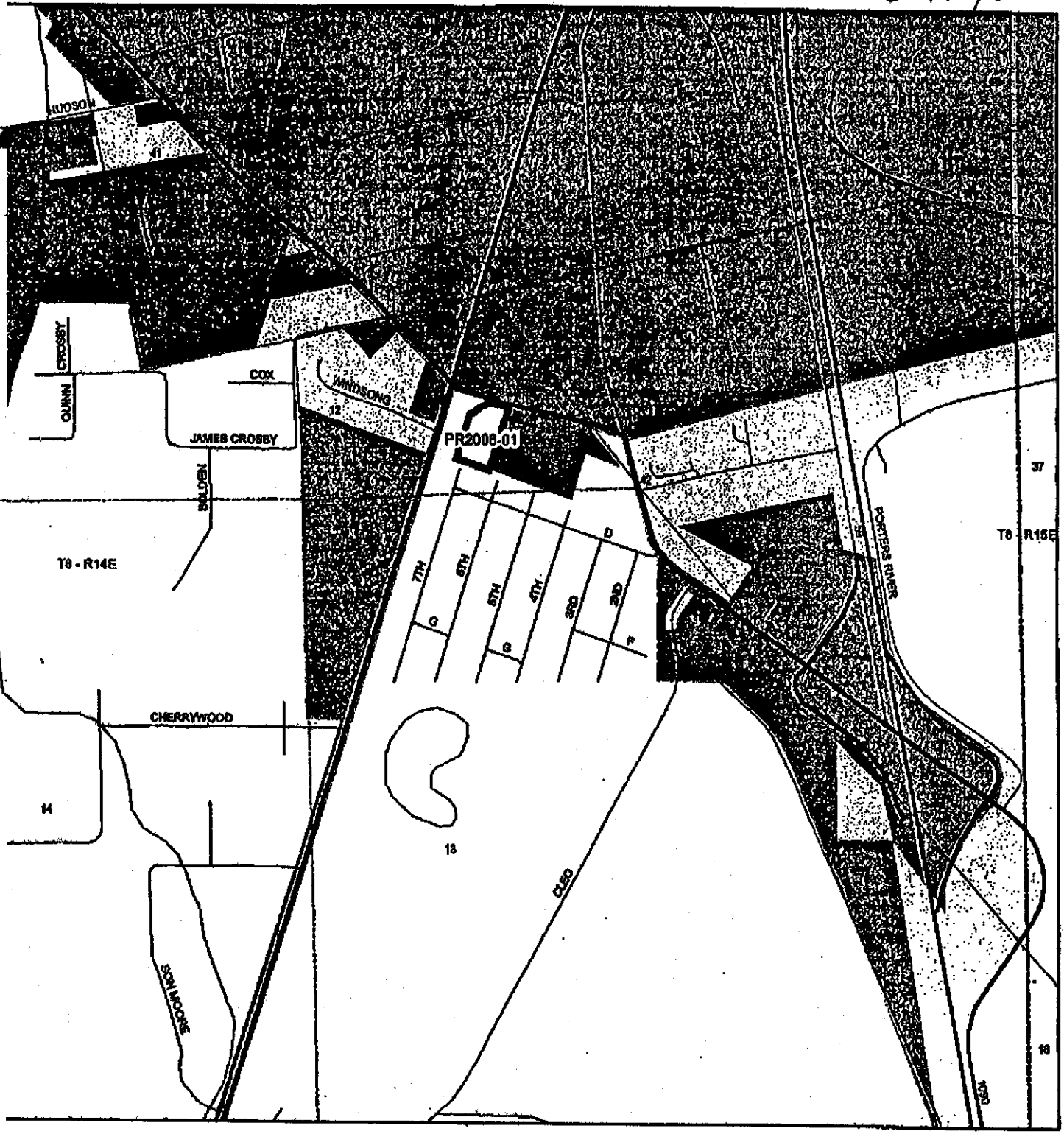
NO JUNK CARS ARE ALLOWED; A JUNK CAR IS DEFINED AS ANY NONOPERATING, WRECKED, JUNKED, OR PARTIALLY DISMANTLED VEHICLE REMAINING ON ANY PROPERTY WITHIN THE TOWN OF PEARL RIVER.

THE TOWN REQUIRED FIRE HYDRANTS FOR ANY NEW DEVELOPMENT. THE DEVELOPER WILL PAY FOR THE HYDRANTS, PLUS TIME AND COST FOR THE TOWN TO INSTALL THE HYDRANTS.

NO PLACE OF BUSINESS THAT HAS SEXUAL CONVICTION; NO ADULT VIDEOS STORES, NO PLACES OF BUSINESS WITH NUDETY WILL BE ALLOWED.

FAILURE TO COMPLY WITH THESE REGULATIONS COULD RESULT IN A \$200.00 FINE/ 60 DAYS IN JAIL, OR BOTH, IN ADDITION TO ALL COST AND EXPENSES INVOLVED. COLOR CODED RED ON TOWN ZONING MAP.

C-1678



Proposed Annexation

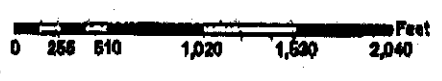


St. Tammany Parish Government
 P.O. Box 628
 Covington, LA 70434

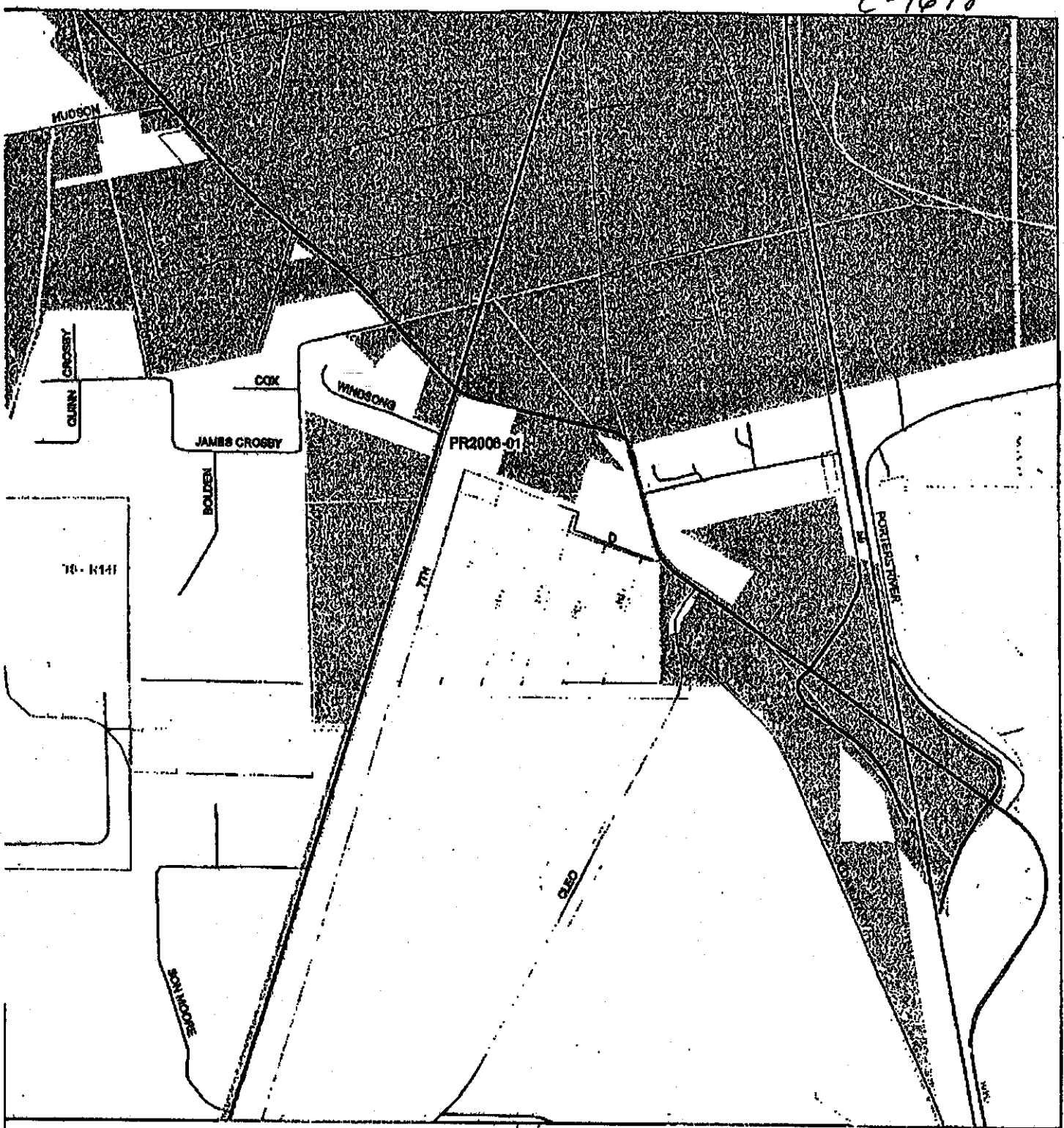
Kevin C. Davis,
 President

- Legend**
- pr2008-01
 - Streets
 - Township/Range
 - Section
 - Parish Land Outline
 - Streets
 - Pearl_River_US_Areas**
 - TAX_TYPE**
 - Priority 1
 - Priority 2
 - Growth Management
 - Pearl_River

This map was produced by St. Tammany Parish Information Services.
 Note: This map is for planning purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic, and it is not intended to be used as such. Map layers were created from different sources at different scales, and the actual or relative geographic position of any feature is only as accurate as the source information.
 Copyright (c) 2006, St. Tammany Parish, Louisiana. All rights reserved.



C-1678



Proposed Annexation

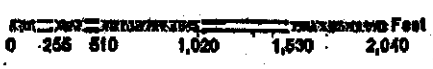


St. Tammany Parish Government
 P.O. Box 628
 Covington, LA 70434

Kevin C. Davis,
 President

- Legend**
- sp-2006-01
 - Streets
 - Township/Range
 - Sections
 - Parish Land Outline
 - Rural
 - SA Suburban Agriculture
 - A-1 Suburban
 - A-2 Suburban
 - A-3 Suburban
 - A-4 Single Family Residential
 - MH Mobile Home
 - A-5 Two Family Residential
 - A-6 General Multiple Family
 - SD Special District
 - RC Recreation/Conservation
 - ID Institutional
 - PUD Planned Unit Development
 - LC Light Commercial
 - C-1 Neighborhood Commercial
 - C-2 Highway Commercial
 - C-3 Planned Commercial
 - M-1 Light Industrial
 - M-2 Intermediate Industrial
 - M-3 Heavy Industrial
 - GMA
 - MO
 - PO
 - SRO
 - SO
 - Streets
 - Feet, ftw

This map was produced by St. Tammany Parish Information Services.
 Note: This map is for planning purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic, and it is not intended to be used as such. Map layers were created from different sources at different scales, and the actual or relative geographic position of any feature is only as accurate as the source information.
 Copyright (c) 2006. St. Tammany Parish, Louisiana. All rights reserved.



Ework Notes:

C-1678

MIN2006-01

Date	User	Note
2/15/2006	Rusty Waldrup	I think this is a real estate office. They are not requesting the ROW adjoining the property.
2/15/2006	Bob Thompson	All, please review for compliance and departmental impact.
3/10/2006	Sidney Fontenot	Does not appear to comply with State Revised Statutes relative to annexation.
3/20/2006	Bob Thompson	Did site visit and there is currently no existing business. Spoke to Milton Stiebing, Mandeville finance Director, and there use to be a real estate office on the property but that was over 3 years ago.

PR2006-01

Date	User	Note
3/7/2006	Bob Thompson	I did not receive any notification of this annexation until 3/7/2006
3/9/2006	Rusty Waldrup	This parcel is outside the enhancement area as defined in the agreement with the town. This means the town would see not monies from the annexation even if parish concurs.
3/15/2006	Sidney Fontenot	Proposal does not meet present Growth Management Agreement. Proposal does meet revised statutes relative to annexations.

PR2006-02

C-1678

Date	User	Note
3/7/2006	Bob Thompson	I did not receive any notification of this annexation request until 3/7/2006.
3/15/2006	Sidney Fontenot	Proposal meets Growth Management Agreements for 1 st 200 ft of property, does not meet agreements for remainder. Proposal meets Louisiana Statutes relative to annexation.